

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO <i>ex rel.</i>)	
State Engineer)	
)	
Plaintiff,)	
vs.)	69cv07941-BB
)	
ROMAN ARAGON et al.,)	RIO CHAMA STREAM SYSTEM
)	
Defendants.)	Section 3, Rio Cebolla
_____)	

MOTION FOR EXTENSION OF TIME

1. CHCB-02-0002C Delfin O. and Frances S. Quintana Trust

PO Box 156

Cebolla, NM 87518

2. CHCB-02-0001 Charlie Chacon, Geralda M. Chacon

1007A South Prince Dr. No. 8

Espanola, NM 87532

3. CHCB-01-0007 Charlie Chacon, Geralda M. Chacon

1007A South Prince Dr. No. 8

Espanola, NM 87532

I. PRE-TRIAL STATUS REPORT

The State is represented by Special Assistant Attorneys General Ed Newville and Gabriel Wade. At this time, Charlie and Geralda Chacon, now the Chacon Family LLC, and Delfin O. and Frances S. Quintana Trust are represented by Mr. Ted Trujillo, Esq. As of this date, the requirements of sections II, III, and IV of this Order have been met, with the exception of depositions. Discovery is ongoing in compliance with this Order. On November 11, 2009, the parties have met in this case to discuss the pre-trial order dates, arrange deposition dates, and narrow issues regarding the case. Possible settlement was also discussed. On December 17, 2009, the State conducted a deposition of Charlie Chacon with Mr. Ted Trujillo present. Possible dates for future depositions are being discussed for January 2010.

II. MOTION FOR EXTENSION

The parties in this case request an extension of the deadlines to the pre-trial order filed as document 9458 on June 5, 2009. The parties have exchanged discovery and discussed possible settlement. Due to the complexity of the exhibits, expert reports, and the number of witnesses involved (approximately twenty witnesses), the parties need more time to schedule and prepare for depositions. All remaining deadlines are dependent on the resolution of the depositions. The parties have been, and are in regular contact with each other, and are working to move this case forward as efficiently as possible. The parties have drafted an amended pre-trial order with new dates for the remaining deadlines set forth in the original pre-trial order (attached).

This Status Report and Motion for Extension has been reviewed and approved by Mr. Ted J. Trujillo.

Submitted by:

/s/ Gabriel Wade

GABRIEL WADE

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